

**UNITED STATES DISTRICT COURT FOR THE  
DISTRICT OF DELAWARE**

MICHAEL NINIVAGGI, JAKE MICKEY,  
CAILIN NIGRELLI, and HANNAH RUSSO,  
individually and on behalf of all others  
similarly situated,

Civil Action No. 20-cv-1478-SB

*Plaintiffs,*

v.

UNIVERSITY OF DELAWARE,

*Defendant.*

**NOTICE OF PLAINTIFFS' MOTION FOR  
FINAL APPROVAL OF CLASS ACTION SETTLEMENT**

**TO ALL PARTIES AND THEIR ATTORNEYS OF RECORD:**

**PLEASE TAKE NOTICE** that upon: (1) the accompanying Memorandum of Law, (2) the Declaration of Joshua D. Arisohn and the exhibits attached thereto (including the Parties' Class Action Settlement Agreement), and (3) the Declaration of Amanda Sternberg and the exhibits attached thereto, Plaintiffs Michael Ninivaggi, Jake Mickey, Cailin Nigrelli, Hannah Russo, and Sean Griffin, through their undersigned attorneys, will move this Court, before the Honorable Stephanos Bibas, United States Circuit Court Judge, at the J. Caleb Boggs Federal Building and United States Courthouse, 844 North King Street, Wilmington, Delaware, for an Order, pursuant to Federal Rule of Civil Procedure 23: (i) granting final approval of the Class Action Settlement; (ii) finally certifying the Settlement Class; (iii) finding that the Notice Plan comports with due process and with Rule 23 of the Federal Rules of Civil Procedure; and (iv) granting such other, further, or different relief as the court deems just and proper.

\* \* \*

A Proposed Final Judgment and Order is submitted herewith.

Dated: October 9, 2023

Respectfully submitted,

**CHIMICLES SCHWARTZ KRINER &  
DONALDSON-SMITH LLP**

/s/ Robert J. Kriner, Jr.

Robert J. Kriner, Jr. (#2546)  
Scott M. Tucker (#4925)  
2711 Centerville Road, Suite 201  
Wilmington, DE 19808  
(302) 656-2500

**BURSOR & FISHER, P.A.**

Joshua D. Arisohn (admitted *pro hac vice*)  
1330 Avenue of the Americas, 32<sup>nd</sup> Fl.  
New York, NY 10019  
Telephone: (646) 837-7150  
Facsimile: (212) 989-9163  
Email: jarisohn@bursor.com

**BURSOR & FISHER, P.A.**

Sarah N. Westcot (admitted *pro hac vice*)  
701 Brickell Avenue, Suite 1420  
Miami, FL 33131  
Tel: (305) 330-5512  
Facsimile: (305) 676-9006  
Email: swestcot@bursor.com

**CROSS & SIMON, LLC**

Christopher P. Simon (No. 3697)  
Michael L. Vild (No. 3042)  
1105 N. Market Street, Suite 901  
P.O. Box 1380  
Wilmington, Delaware 19801-1380  
(302) 777-4200  
csimon@crosslaw.com  
mvild@crosslaw.com

**POULIN WILLEY**

**ANASTOPOULO, LLC**

Eric M. Poulin (admitted *pro hac vice*)  
Roy T. Willey, IV (admitted *pro hac vice*)  
Blake G. Abbott (admitted *pro hac vice*)  
32 Ann Street  
Charleston, SC 29403  
(843) 614-8888  
eric@akimlawfirm.com  
roy@akimlawfirm.com  
blake@akimlawfirm.com

*Attorneys for Plaintiffs*